

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
:
UNITED STATES OF AMERICA, :
:
-v- : 21-CR-658 (JMF)
:
MALEK MOHAMMAD BALOUCHZEHI, : ORDER
a/k/a "Malek Khan," :
:
Defendant. :
:
----- X

JESSE M. FURMAN, United States District Judge:

Attached to this order are the notes sent by the jury to the Court during deliberations (Court Exhibits 1-4), and the jury's verdict form (Court Exhibit 5).

SO ORDERED.

Dated: May 16, 2023
New York, New York



JESSE M. FURMAN
United States District Judge

COURT EXHIBIT 1

JURY NOTE
May we please have some
markers for the white board?

Thank

Date: _____

Time: _____

Foreperson's signature

COURT EXHIBIT 2

It was mentioned by one of the witnesses that Videotaping another person during an investigation is illegal.

As such, can you please shed some light as to the admissibility of the Video from the Café meeting in Mozambique between the CS and the carrier?

Date: May 15th, 2023

Time: 2:43 pm

Foreperson's signature

COURT EXHIBIT 3

Court Exhibit 3

May we please receive Mr. Musslewhite's testimony?

Thanks

Date: May 16

Time: _____

Foreperson's signature

COURT EXHIBIT 4

We have reached a Verdict.

Date: May 19th, 2023

Time: 10:34



Foreperson's signature

COURT EXHIBIT 5

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SOUTHERN DISTRICT OF NEW YORK

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MALEK MOHAMMAD BALOUCHZEH, :
a/k/a "Malek Khan," :
:
Defendant. :
:
-----X

All Answers Must Be Unanimous

Count One – Conspiracy to Import Heroin

Guilty Not Guilty _____

If, but only if, you have found the defendant guilty on Count One, please answer the following question:

Did the offense charged in Count One involve the following quantity of mixtures and substances containing a detectable amount of heroin? (Please check one)

- i. 1 kilogram (that is, 1000 grams) or more; or
- ii. 100 grams or more, but less than 1 kilogram; or
- iii. Less than 100 grams

Count Two – Distribution of Heroin for Importation

Guilty Not Guilty _____

If, but only if, you have found the defendant guilty on Count Two, please answer the following question:

Did the offense charged in Count Two involve the following quantity of mixtures and substances containing a detectable amount of heroin? (Please check one)

- i. 1 kilogram (that is, 1000 grams) or more; or
- ii. 100 grams or more, but less than 1 kilogram; or
- iii. Less than 100 grams

Please Turn to the Next Page

After completing the Verdict Form, please sign your names below and fill in the date and time.

Foreperson



Date and Time: May 16, 2023 10:39 am

Once you have signed the Verdict Form, please give a note — NOT the Verdict Form itself — to the Court Security Officer stating that you have reached a verdict.